

Exhibit A

From: Jon Chally jchally@cgc-law.com
Subject: RoadSync/Relay, Case No. 1:21-cv-03420-MLB
Date: August 11, 2023 at 4:04 PM
To: Jessica_Kelley@gand.uscourts.gov
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Ms. Kelley:

Good afternoon. I represent RoadSync, Inc. in Case No. 1:21-cv-03420-MLB. I've copied counsel for Defendants on this message. As you know, the Court is currently evaluating a series of discovery disputes and related requests to address the existing schedule in the case (Doc. Nos. 150, 153, & 169). We appreciate the Court's consideration on all of these issues, and its indulgence of the parties as they present argument on them. In the meantime, on behalf of RoadSync, we understand the Court's comments during the July 19 hearing to suggest that the existing schedule will be extended, once the Court has an opportunity to rule on the issues pending before it. In any event, and in light of the various issues pending before the Court, as we have separately described (Doc. No. 154), RoadSync is not able to meet the deadlines that exist in the currently operative scheduling order, including the August 14 deadline for submitting opening expert reports. See Doc. No. 118. RoadSync has sought to extend that deadline until 30 days following the close of a new fact discovery deadline. See Doc. No. 153-5. Defendants have separately asked to move this date to September 15, 2023. See Doc. No. 153-6.

We will of course await the Court's order on a go-forward schedule. In the meantime, and absent further order from the Court, RoadSync expects to serve opening expert reports on September 15, consistent with Defendants' request (Doc. No. 153-6). We continue to believe that additional time is required to evaluate what has been produced, and what we hope will be produced, but we want to be clear on our intent with respect to the existing August 14 deadline. We believe the Court, and given the parties' requests to extend the schedule, we believe it is clear that the parties, have agreed that deadline is not appropriate.

To the extent that the Court has any questions on this, or questions on any other aspect of the schedule, we are happy to address them whenever the Court prefers, including at the August 29 hearing. Thank you.

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